

COPY

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 9 Sid Avery and Associates. doing business as mptv

10  
 11 UNITED STATES DISTRICT COURT  
 12 CENTRAL DISTRICT OF CALIFORNIA

13  
 14 SID AVERY AND ASSOCIATES, a  
 15 California corporation, d/b/a mptv,

16 Plaintiff,

17 v.

18 REJECT MEDIA, LLC, an Ohio limited  
 19 liability company, d/b/a  
 20 FILMSCHOOLREJECTS.COM; and  
 DOES 1 through 10, inclusive,

21 Defendants.  
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 23  
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 25  
 26  
 27  
 28

FILED  
 13 DEC 17 PM 4:12  
 CLERK U.S. DISTRICT COURT  
 CENTRAL DISTRICT OF CALIF.  
 LOS ANGELES  
 BY: \_\_\_\_\_

Case No.: **CV 13-9276 JAK (AS<sub>x</sub>)**

**COMPLAINT FOR COPYRIGHT  
 INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

1 Plaintiff Sid Avery and Associates, d/b/a mptv (“Plaintiff” or “mptv”), by and  
2 through its attorneys of record, complains against Reject Media, LLC, d/b/a  
3 Filmschoolrejects.com (“Reject Media”) and DOES 1 through 10 (collectively,  
4 “Defendants”) as follows:

5 **JURISDICTION AND VENUE**

6 1. This is a civil action against Defendants for their acts of copyright  
7 infringement in violation of the United States Copyright Act, 17 U.S.C. §§ 101 *et seq.* This  
8 Court has subject matter jurisdiction over the copyright infringement under 28 U.S.C. §  
9 1331, 17 U.S.C. § 501(a), and 28 U.S.C. § 1338(a).

10 2. Venue is proper in this District under 28 U.S.C. §§ 1391(b) and (c) and 28  
11 U.S.C. § 1400(a) in that the claim arises in this Judicial District, Defendants may be found  
12 and transact business in this Judicial District, and the injury suffered by Plaintiff took place  
13 in this Judicial District. Defendants are subject to the general and specific personal  
14 jurisdiction of this Court because of their contacts with the State of California.

15 **PARTIES**

16 3. Plaintiff mptv is a California corporation with its principal place of business at  
17 16735 Saticoy St., Suite 109, Van Nuys, California 91406. Plaintiff is the owner of the  
18 copyright to the photograph at issue herein.

19 4. Plaintiff is informed and believes and, upon such, alleges that Defendant  
20 Reject Media is an Ohio limited liability company with headquarters in Austin, Texas and a  
21 business presence in Los Angeles, California, New York, New York, Chicago, Illinois, San  
22 Francisco, California, Western Europe, and the United Kingdom. Reject Media is doing  
23 business under the names “Film School Rejects” and “Filmschoolrejects.com” as the sole  
24 owner and operator of the Internet website located at <http://filmschoolrejects.com>. On that  
25 website, Reject Media presents itself as follows: “This site is owned and operated by Reject  
26 Media LLC. All original content is the intellectual property of the individual authors, all  
27 other content, text and graphical is the intellectual property of Reject Media LLC.”

28 ///



1           8.     Included in Avery's collection is the captivating photograph at issue in this  
2 matter ("the Photo"), which depicts twelve debonair gentlemen—including Sinatra, Martin,  
3 Davis, Jr., Lawford, and Bishop—standing around a table and collectively gazing away  
4 from Avery's camera. Avery is the author of the Photo and it was registered with the  
5 United States Copyright Office on October 15, 1976. The Photo is attached hereto as  
6 **Exhibit A.**

7 **B.     *The Defendants and their Infringement***

8           9.     Plaintiff is informed and believes and, upon such, alleges that, under the  
9 names "Film School Rejects" and "Filmschoolrejects.com," Defendant Reject Media owns  
10 and operates a commercial website located at <http://filmschoolrejects.com> ("the Website")  
11 that purports to provide "the ultimate commentary track on the world of entertainment and  
12 hold an open forum where passionate film fans can come and speak their minds and be  
13 heard."

14          10.    Reject Media makes its worldwide popularity no secret, stating on the Website  
15 that "Film School Rejects is a leading online magazine featuring reviews, interviews,  
16 industry news and feature commentary that reaches over 2.5 million visitors per month  
17 from over 200 countries around the world." Reject Media also touts the various awards it  
18 has been honored with and shares that the Website "has been featured and quoted in  
19 numerous publications, including *The New York Times*, *CNN*, *The Los Angeles Time*,  
20 *Mashable* and more."

21          11.    Despite the fact that, according to the Website, Reject Media has "a strong  
22 commitment to ethical journalism and raising the quality of reporting in the film  
23 blogosphere," Defendants have—on information and belief—violated federal law by  
24 willfully infringing Plaintiff's copyright on two separate occasions.

25          12.    First, Defendants reproduced, distributed, and publicly displayed the Photo on  
26 the Website in a May 9, 2008 article entitled "Ten Movies You Need to See Before Going  
27 to Vegas." This author of this article is Mr. Kevin Carr, named on the Website as a  
28 "Featured Contributor." Defendants prominently displayed the Photo in Mr. Carr's article

1 without permission, consent, or license from Plaintiff, the rights holder to the Photo.

2 13. On March 1, 2009, Defendants again reproduced, distributed, and publicly  
3 displayed the Photo on the Website, this time in an article entitled “Ripping Off Vegas is  
4 Easy in ‘Ocean’s Eleven.’” Unfortunately for Defendants, the characters in *Ocean’s 11* are  
5 not the only ones guilty of “ripping off” here. The author of the article is Mr. Scott Beggs,  
6 named on the Website as “Managing Editor.” Defendants prominently displayed the Photo  
7 in Mr. Beggs’s article without permission, consent, or license from Plaintiff, the rights  
8 holder to the Photo.

9 14. In the marketplace, celebrity photographs—especially those from  
10 Hollywood’s Golden Age, such as the Photo in this case—carry tremendous monetary  
11 value. Mr. Avery gained fame as the man responsible for capturing candid images of  
12 Hollywood’s biggest stars, offering an otherwise absent look into celebrities’ lives when  
13 the cameras were off. Plaintiff licenses its photographs to those desiring to use these  
14 coveted glimpses into celebrities’ behind-the-scenes lives, but not without reasonable  
15 payment for the use thereof. For each of the photos listed on Plaintiff’s website, Plaintiff  
16 offers license instructions and prominently notes that material by a select few  
17 photographers—including, of course, Sid Avery—carries a premium licensing rate, given  
18 its particularly high desirability and corresponding market value. The exclusivity of the  
19 Photo gave it substantial monetary value for its author and owner in 1960, and the Photo is  
20 likely even more valuable today. However, Defendants’ actions irreparably harmed that  
21 value.

22 15. On information and belief, Defendants have driven massive traffic to the  
23 Website in large part due to the presence of highly sought-after and searched-for images of  
24 some of Hollywood’s biggest-*ever* celebrities and the film industry’s most famous heist  
25 film of all time. This traffic translates into Defendants’ significant ill-gotten commercial  
26 advantage and revenue generation derived directly from their infringing actions.

27 16. At the end of the day, it appears that Defendants took a bit too much  
28 inspiration from Danny Ocean from *Ocean’s 11*, only without the charm and panache.

1 They heisted Plaintiff's intellectual property without payment or permission and thought  
2 that such brazen disrespect for the law would have no consequences. Thankfully, in real  
3 life—unlike the movies—that is not the case.

4 **FIRST CLAIM FOR RELIEF**

5 **(Copyright Infringement, 17 U.S.C. § 501)**

6 17. Plaintiff incorporates by reference the allegations in paragraphs 1 through 16  
7 above, as though fully set forth herein.

8 18. Plaintiff is the owner of the copyright to the Photo, which substantially  
9 consists of material wholly original with Plaintiff and which constitutes copyright subject  
10 matter under the laws of the United States. Plaintiff has complied in all respects with the  
11 Copyright Act and all of the laws of the United States governing copyrights. The Photo has  
12 been timely registered with the United States Copyright Office. Attached hereto as **Exhibit**  
13 **B** is a true and correct copy of the Photo's original registration certificate.

14 19. Defendants have directly, vicariously and/or contributorily infringed, and  
15 unless enjoined, on information and belief, will again infringe Plaintiff's copyright by  
16 reproducing, displaying, distributing, and utilizing Plaintiff's copyrighted photograph for  
17 purposes of trade in violation of 17 U.S.C. § 501 *et seq.* Attached hereto as **Exhibit C** are  
18 copies of Defendants' acts of infringement.

19 20. Defendants have willfully infringed, and unless enjoined, on information and  
20 belief, will again infringe Plaintiff's copyright by knowingly reproducing, displaying,  
21 distributing, and utilizing Plaintiff's copyrighted photograph for purposes of trade.

22 21. These acts of infringement are willful because, *inter alia*, Defendants are  
23 sophisticated and have full knowledge of the strictures of federal copyright law and the  
24 basic requirements for licensing the use of copyrighted content for commercial  
25 exploitation. Defendant Reject Media's nature as a self-proclaimed leader in film-industry  
26 reporting strongly suggests fluency in an industry that features perhaps more copyright  
27 issues than any other. Having expressed a strong commitment and devotion to "ethical  
28 journalism," and knowing better than perhaps anyone else the immense value of the Photo,

1 Reject Media knew very well that its actions constituted infringement.

2 22. The willfulness of Defendants' infringement is also evidenced by their  
3 continued infringement in the face of Plaintiff's repeated infringement notices. Plaintiff  
4 initially sent two notification e-mails to Mr. Neil Miller, Founder and Publisher of Film  
5 School Rejects, to which Mr. Miller neither said nor did anything in response. When  
6 Plaintiff sent a third and final notification e-mail to Mr. Miller—now one month after Mr.  
7 Miller first received notice of infringement—Defendants finally removed the Photo from  
8 the Website. Mr. Miller then proceeded to release the following statement via his Twitter  
9 account: "Currently being extorted by @mptvimages. Anyone have experience with this?"  
10 As of the date of this complaint, the statement remains visible and available to the public  
11 on the Internet. Whether Defendants' delay in removing the Photo resulted from mere  
12 laziness or a belief that Plaintiff's notices need not be taken seriously, one thing is certain:  
13 Defendants were on notice of infringement, continued to infringe, and thus committed  
14 willful copyright infringement.

15 23. Defendants, despite such copyright notice and terms of use, reproduced,  
16 publicly distributed, and publicly displayed the Photo on the Website.

17 24. Defendants have received substantial benefits in connection with the  
18 unauthorized reproduction, display, distribution, and utilization of the Photo for purposes of  
19 trade, including increasing the traffic to the Website and, thus, increasing the advertising  
20 fees realized.

21 25. The actions of Defendants were performed without Plaintiff's permission,  
22 license, or consent.

23 26. The wrongful acts of Defendants have caused great injury to Plaintiff, of  
24 which damages cannot be accurately computed, and unless this Court restrains Defendants  
25 from further commission of said acts, Plaintiff will suffer irreparable injury, for all of  
26 which it is without an adequate remedy at law. Accordingly, Plaintiff seeks an order under  
27 17 U.S.C. § 502 enjoining Defendants from any further infringement of Plaintiff's  
28 copyrighted works.



1           27. As a result of the acts of Defendants alleged herein, Plaintiff has suffered  
2 substantial damage to its business in the form of diversion of trade, loss of profits, injury to  
3 goodwill and reputation, and the dilution of the value of its rights, all of which are not yet  
4 fully ascertainable.

5           28. Because of the brazenly willful nature of the copyright infringement, Plaintiff  
6 is entitled to an award of statutory damages equal to \$150,000 per act of infringement.

7           29. Alternatively, at Plaintiff's discretion, Plaintiff is entitled to actual damages in  
8 an amount to be proven at trial.

9           30. Plaintiff is also entitled to attorney's fees in prosecuting this action.

10  
11 **PRAYER FOR RELIEF**

12 WHEREFORE, Plaintiff requests judgment against Defendants as follows:

13           1. that Defendants, their officers, agents, servants, employees, representatives,  
14 and attorneys, and all persons in active concert or participation with them, be permanently  
15 enjoined from designing, copying, reproducing, displaying, promoting, advertising,  
16 distributing, or selling, or any other form of dealing or transaction in, any and all  
17 advertising and promotional materials, print media, signs, Internet websites, or any other  
18 media, either now known or hereafter devised, bearing any design or mark which infringe,  
19 contributorily infringe, or vicariously infringe upon Plaintiff's rights in Plaintiff's  
20 copyrighted works;

21           2. that Defendants be held liable to Plaintiff in statutory damages for copyright  
22 infringement, including willful infringement, in accordance with 17 U.S.C. §§ 504(a)(2) &  
23 (c), and for costs, interest, and reasonable attorney's fees pursuant to 17 U.S.C. § 505;

24           3. for an accounting for all profits, income, receipts or other benefit derived by  
25 Defendants from the reproduction, copying, display, promotion, distribution or sale of  
26 products and services, or other media, either now known or hereafter devised, that  
27 improperly or unlawfully infringes upon Plaintiff's copyright pursuant to 17 U.S.C. §§ 504  
28 (a)(1) & (b);



1 4. for an order requiring Defendants to account for and pay over to Plaintiff all  
2 profits derived by Defendants from their acts of copyright infringement and to reimburse  
3 Plaintiff for all damages suffered by Plaintiff by reason of Defendants' acts, pursuant to 17  
4 U.S.C. §§ 504 (a)(1) & (b);

5 5. for actual damages for copyright infringement pursuant to 17 U.S.C. §§ 504  
6 (a)(1) & (b);

7 6. for reasonable attorneys' fees incurred herein pursuant to 17 U.S.C. § 505;

8 7. for costs and interest pursuant to 17 U.S.C. §§ 504 (a)(1) & (b); and

9 8. for any such other and further relief as the Court may deem just and  
10 appropriate.

11  
12 Dated: December 17, 2013

**ONE LLP**

13  
14 By:  \_\_\_\_\_

Peter R. Afrasiabi

John Tehranian

Nima Kamali

Attorneys for Plaintiff, Sid Avery and  
Associates, d/b/a mptv

**DEMAND FOR JURY TRIAL**

Plaintiff mptv hereby demands trial by jury of all issues so triable under the law.

Dated: December 17, 2013

**ONE LLP**

By: 

Peter R. Afrasiabi

John Tehranian

Nima Kamali

Attorneys for Plaintiff, Sid Avery and  
Associates, d/b/a mptv

# **EXHIBIT A**



# **EXHIBIT B**

Page 3

**Certificate****Registration of a Claim to Copyright  
in a photograph****FORM J**

REGISTRATION NO.

**Ju' 14776**

DO NOT WRITE HERE

CLASS

**J**

This Is To Certify that the statements set forth on this certificate have been made a part of the records of the Copyright Office. In witness whereof the seal of the Copyright Office is hereto affixed.

*Barbara Ringer*

Register of Copyrights  
United States of America

NOT VALID WITHOUT  
COPYRIGHT OFFICE  
IMPRESSION SEAL

**1. Copyright Claimant(s) and Address(es):**Name Sid AveryAddress 820 North LaBrea AvenueName Los Angeles, Ca. 90038

Address \_\_\_\_\_

**2. Title of Photograph:** Collection #6: 11 TOTAL PRINTS, INCL. 1 BOB NEWHART, 2 HANCONBEID, 1 TRAIN,  
(Title of photograph as it appears on the copies)

2 JOE E. BROWN, 1 CAST OF "OCEANS ELEVEN", 1 BUSTER KEATON, 2 HUMPHREY BOGART,  
1 PHOTO OF MEXICAN BRACEROS.

**3. Author:**Name Sid AveryCitizenship U S A

(Name of country)

Domiciled in U.S.A. Yes ☒ No \_\_\_\_\_Address 820 North LaBrea Ave., L. A. 90038**4. (a) Date of Publication:**

(Month) (Day) (Year)

**(b) Place of Publication:**

(Name of country)

**5. Previous Registration or Publication:**

Was work previously registered? Yes \_\_\_\_\_ No \_\_\_\_\_ Date of registration \_\_\_\_\_ Registration number \_\_\_\_\_

Was work previously published? Yes \_\_\_\_\_ No \_\_\_\_\_ Date of publication \_\_\_\_\_ Registration number \_\_\_\_\_

Is there any substantial **NEW MATTER** in this version? Yes \_\_\_\_\_ No \_\_\_\_\_ If your answer is "Yes," give a brief general statement of the nature of the **NEW MATTER** in this version.

Complete all applicable spaces on next page

EXAMINER  
*[Signature]*



## 6. Deposit account:

## 7. Send correspondence to:

Name Sid AveryAddress 820 N. LaBrea Ave., L. A. 90038

## 8. Send certificate to:

(Type or print name and address)

Name

Sid Avery

Address

820 N. LaBrea Ave

(Number and street)

Los Angeles, Ca. 90038

(City)

(State)

(ZIP code)

## Information concerning copyright in photographs

**When to Use Form J.** Form J is appropriate for unpublished and published photographs.

**What Is a "Photograph"?** This category (Class J) includes photographic prints and filmstrips, slide films, and individual slides.

**—Reproductions.** Reproductions of photographs prepared by photolithography and other mechanical processes are generally regarded as "prints" rather than "photographs" and, when published, should be submitted for registration on Form K.

**—Contributions to Periodicals.** When a photograph is first published with a separate copyright notice in a magazine or newspaper, it is regarded as a "contribution to a periodical," registrable on Form BB.

**Duration of Copyright.** Statutory copyright begins on the date the work was first published, or, if the work was registered for copyright in unpublished form, copyright begins on the date of registration. In either case, copyright lasts for 28 years, and may be renewed for a second 28-year term.

## Unpublished photographs

**How to Register a Claim.** To obtain copyright registration, mail to the Register of Copyrights, Library of Congress, Washington, D.C. 20559, one complete copy of the photograph, an application on Form J, properly completed and signed, and a fee of \$6. Deposits are not returned, so do not send your only copy.

**Procedure to Follow if Work Is Later Published.** If the photograph is later reproduced in copies and published, it is necessary to make a second registration, following the procedure outlined below. To maintain copyright protection, all copies of the published edition must contain a copyright notice in the required form and position.

## Published photographs

**What Is "Publication"?** Publication, generally, means the sale, placing on sale, or public distribution of copies. Unrestricted public exhibition of a photograph may also constitute publication.

**How to Secure Copyright in a Published Photograph:**

1. Produce copies with copyright notice.
2. Publish the work.
3. Register the copyright claim, following the instructions on page 1 of this form.

**The Copyright Notice.** In order to secure copyright protection in a published work, it is important that all copies contain the statutory copyright notice. The notice should appear on the photograph itself, or, if the work is a collection of photographs in book form, on the title page or verso thereof. It should ordinarily consist of the word "Copyright," the abbreviation "Copr.," or the symbol

©, accompanied by the name of the copyright owner. The year date of publication may be included in the notice, but normally it is not required unless the work could also be regarded as a "book."

**—Alternative Form of Notice.** As an alternative, the notice for photographs may consist of the symbol ©, accompanied by the initials, monogram, mark, or symbol of the copyright owner, provided the owner's name appears on some accessible part of the copies.

**—Universal Copyright Convention Notice.** Use of the symbol © with the name of the copyright owner and the year date of publication may result in securing copyright in countries which are parties to the Universal Copyright Convention. Example: © John Doe 1975.

**NOTE:** If copies are published without the required notice, the right to secure copyright is lost and cannot be restored.

## FOR COPYRIGHT OFFICE USE ONLY

Application received

OCT. 15 1976

One copy received

15 OCT 1976

Two copies received

Fee received

10051 OCT 15 76



Page 1

# Application for Registration of a Claim to Copyright in a photograph

FORM J

REGISTRATION NO.

CLASS

DO NOT WRITE HERE  
JFO JF JP JU

J

**Instructions:** Make sure that all applicable spaces have been completed before you submit the form. The application must be **SIGNED** at line 9. For published works the application should not be submitted until after the date of publication given in line 4 (a), and should state the facts which existed on that date. For further information, see page 4.

Pages 1 and 2 should be typewritten or printed with pen and ink. Pages 3 and 4 should contain exactly the same information as pages 1 and 2, but may be carbon copies.

Mail all pages of the application to the Register of Copyrights, Library of Congress, Washington, D.C. 20559, together with:

(a) If unpublished, one complete copy of the work and the registration fee of \$6.

(b) If published, two copies of the best edition of the work and the registration fee of \$6.

Make your remittance payable to the Register of Copyrights.

**1. Copyright Claimant(s) and Address(es):** Give the name(s) and address(es) of the copyright owner(s). For published works the name(s) should ordinarily be the same as in the notice of copyright on the copies deposited. If initials are used in the notice, the name should be the same as appears elsewhere on the copies.

Name Sid Avery  
Address 820 North La Brea Avenue  
Los Angeles, Ca. 90038  
Name \_\_\_\_\_  
Address \_\_\_\_\_

**2. Title of Photograph:** Collection #6: 11 PRINTS TOTAL, INCLU: 1 BOB NEWHART 2 HANS COMBES,  
(Give the title as it appears on the copies; each copy deposited should bear an identifying title, which may be descriptive)  
1 TRAIN, 2 JOE BROWN, 1 CAST OF "OCEAN ELEVEN", 1 BUSTER KEATON, 2 HUMPHREY BOGART,  
1 PHOTO OF MEXICAN BRACEROS

**3. Author:** Citizenship and domicile information must be given. Where a work was made for hire, the employer is the author. The citizenship of organizations formed under U.S.

Federal or State law should be stated as U.S.A.

If the copyright claim is based on new matter (see line 5) give information about the author of the new matter.

Name Sid Avery Citizenship U S A  
(Name of country)  
Domiciled in U.S.A. Yes ☒ No \_\_\_\_\_ Address 820 N. LaBrea Ave., L. A. 90038

➡ NOTE: Leave all spaces of line 4 blank unless your work has been PUBLISHED. ◀◀

**4. (a) Date of Publication:** Give the complete date when copies of this particular photograph were first placed on sale, sold, or publicly distributed. The date when the photograph

was made or the date when copies were reproduced should not be confused with the date of publication. NOTE: The full date (month, day, and year) must be given.

(Month) (Day) (Year)

**(b) Place of Publication:** Give the name of the country in which this particular photograph was first published.

➡ NOTE: Leave all spaces of line 5 blank unless the instructions below apply to your work. ◀◀

**5. Previous Registration or Publication:** If a claim to copyright in any substantial part of this work was previously registered in the U.S. Copyright Office in unpublished form,

or if a substantial part of the work was previously published anywhere, give requested information.

Was work previously registered? Yes \_\_\_\_\_ No \_\_\_\_\_ Date of registration \_\_\_\_\_ Registration number \_\_\_\_\_  
Was work previously published? Yes \_\_\_\_\_ No \_\_\_\_\_ Date of publication \_\_\_\_\_ Registration number \_\_\_\_\_

Is there any substantial **NEW MATTER** in this version? Yes \_\_\_\_\_ No \_\_\_\_\_ If your answer is "Yes," give a brief general statement of the nature of the **NEW MATTER** in this version. (New matter may consist of compilation, abridgment, editorial revision, and the like, as well as additional pictorial material.)

Complete all applicable spaces on next page

EXAMINER
----------



## 7. Name and address of person or organization to whom correspondence or refund, if any, should be sent:

Name Sid Avery, 820 N. LaBrea Address Los Angeles, Ca. 90038

## 8. Send certificate to:

(Type or  
print  
name and  
address)

Name

Sid Avery

Address

820 North LaBrea Avenue

(Number and street)

Los Angeles, Ca. 90038

(City)

(State)

(ZIP code)

## 9. Certification:

(Application  
not acceptable  
unless signed)

I CERTIFY that the statements made by me in this application are correct to the best of my knowledge.

(Signature of copyright claimant or duly authorized agent)

## Application Forms

Copies of the following forms will be supplied by the Copyright Office without charge upon request:

- Class A Form A—Published book manufactured in the United States of America.  
 Class A Form A-B Foreign—Book or periodical manufactured outside the United States of America (except works subject to the ad interim provisions of the copyright law).  
 or B Form A-B Ad Interim—Book or periodical in the English language manufactured and first published outside the United States of America.  
 Class B Form B—Periodical manufactured in the United States of America.  
 Form BB—Contribution to a periodical manufactured in the United States of America.  
 Class C Form C—Lecture or similar production prepared for oral delivery.  
 Class D Form D—Dramatic or dramatico-musical composition.  
 Form E—Musical composition the author of which is a citizen or domiciliary of the United States of America or which was first published in the United States of America.  
 Class E Form E Foreign—Musical composition the author of which is not a citizen or domiciliary of the United States of America and which was not first published in the United States of America.  
 Class F Form F—Map.  
 Class G Form G—Work of art or a model or design for a work of art.  
 Class H Form H—Reproduction of a work of art.  
 Class I Form I—Drawing or plastic work of a scientific or technical character.  
 Class J Form J—Photograph.  
 Form K—Print or pictorial illustration.  
 Class K Form KK—Print or label used for an article of merchandise.  
 Class L or M Form L-M—Motion picture.  
 Class N Form N—Sound recording.  
 • Form R—Renewal copyright.  
 • Form U—Notice of use of copyrighted music on mechanical instruments.

## FOR COPYRIGHT OFFICE USE ONLY

Application received

One copy received

Two copies received

Fee received

Renewal

Page 3

## Certificate

Registration of a Claim to Copyright  
in a photograph

FORM J

REGISTRATION NO.

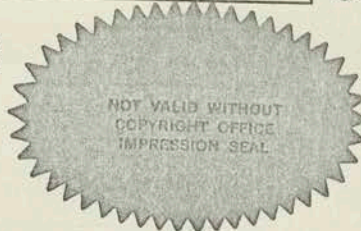
CLASS

J

DO NOT WRITE HERE

This Is To Certify that the statements set forth on this certificate have been made a part of the records of the Copyright Office. In witness whereof the seal of the Copyright Office is hereto affixed.

Register of Copyrights  
United States of America



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Address \_\_\_\_\_

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(Title of photograph as it appears on the copies)  
2 JOE E. BROWN, 1 CAST OF "OCEANS ELEVEN", 1 BUSTER KEATON, 2 HUMPHREY BOGART,  
1 PHOTO OF MEXICAN BRACEROS.

## 3. Author:

Name Sid AveryCitizenship U S A

(Name of country)

Domiciled in U.S.A. Yes ☒ No \_\_\_\_\_ Address 820 North LaBrea Ave., L. A. 90038

## 4. (a) Date of Publication:

(b) Place of Publication:

(Month) (Day) (Year)

(Name of country)

## 5. Previous Registration or Publication:

Was work previously registered? Yes \_\_\_\_\_ No \_\_\_\_\_ Date of registration \_\_\_\_\_ Registration number \_\_\_\_\_

Was work previously published? Yes \_\_\_\_\_ No \_\_\_\_\_ Date of publication \_\_\_\_\_ Registration number \_\_\_\_\_

Is there any substantial NEW MATTER in this version? Yes \_\_\_\_\_ No \_\_\_\_\_ If your answer is "Yes," give a brief general statement of the nature of the NEW MATTER in this version.

EXAMINER

Complete all applicable spaces on next page



6. Deposit account:

## 7. Send correspondence to:

Name Sid Avery Address 820 N. LaBrea Ave., L. A. 90038

## 8. Send certificate to:

(Type or  
print Name  
name and  
address)  
AddressSid Avery820 N. LaBrea Ave

(Number and street)

Los Angeles, Ca. 90038

(City)

(State)

(ZIP code)

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**—Reproductions.** Reproductions of photographs prepared by photolithography and other mechanical processes are generally regarded as "prints" rather than "photographs" and, when published, should be submitted for registration on Form K.

**—Contributions to Periodicals.** When a photograph is first published with a separate copyright notice in a magazine or newspaper, it is regarded as a "contribution to a periodical," registrable on Form BB.

**Duration of Copyright.** Statutory copyright begins on the date the work was first published, or, if the work was registered for copyright in unpublished form, copyright begins on the date of registration. In either case, copyright lasts for 28 years, and may be renewed for a second 28-year term.

## Unpublished photographs

**How to Register a Claim.** To obtain copyright registration, mail to the Register of Copyrights, Library of Congress, Washington, D.C. 20559, one complete copy of the photograph, an application on Form J, properly completed and signed, and a fee of \$6. Deposits are not returned, so do not send your only copy.

**Procedure to Follow if Work Is Later Published.** If the photograph is later reproduced in copies and published, it is necessary to make a second registration, following the procedure outlined below. To maintain copyright protection, all copies of the published edition must contain a copyright notice in the required form and position.

## Published photographs

**What Is "Publication"?** Publication, generally, means the sale, placing on sale, or public distribution of copies. Unrestricted public exhibition of a photograph may also constitute publication.

**How to Secure Copyright in a Published Photograph:**

1. Produce copies with copyright notice.
2. Publish the work.
3. Register the copyright claim, following the instructions on page 1 of this form.

**The Copyright Notice.** In order to secure copyright protection in a published work, it is important that all copies contain the statutory copyright notice. The notice should appear on the photograph itself, or, if the work is a collection of photographs in book form, on the title page or verso thereof. It should ordinarily consist of the word "Copyright," the abbreviation "Copr.," or the symbol

©, accompanied by the name of the copyright owner. The year date of publication may be included in the notice, but normally it is not required unless the work could also be regarded as a "book."

**—Alternative Form of Notice.** As an alternative, the notice for photographs may consist of the symbol ©, accompanied by the initials, monogram, mark, or symbol of the copyright owner, provided the owner's name appears on some accessible part of the copies.

**—Universal Copyright Convention Notice.** Use of the symbol © with the name of the copyright owner and the year date of publication may result in securing copyright in countries which are parties to the Universal Copyright Convention. Example: © John Doe 1975.

**NOTE:** If copies are published without the required notice, the right to secure copyright is lost and cannot be restored.

## FOR COPYRIGHT OFFICE USE ONLY

Application received

One copy received

Two copies received

Fee received

# **EXHIBIT C**


Firefox

Ten Movies You Need to See Before Goi...

www.filmschoolrejects.com/news/ten-movies-you-need-to-see-before-going-to-vegas.php

Google

The Rise of Intentionally Bad Movies and Popular Cult



**7. Ocean's Eleven**


The original, mind you, not the remake. Not that there's anything wrong with the remake, but with #8 already on the list, we can't put Clooney & Co. on twice. This one is for the history. The original *Ocean's Eleven* is a fun reminder of what Vegas was like in the old days when the Rat Pack rules the down and Sinatra was the Chairman of the Board.

find out more >

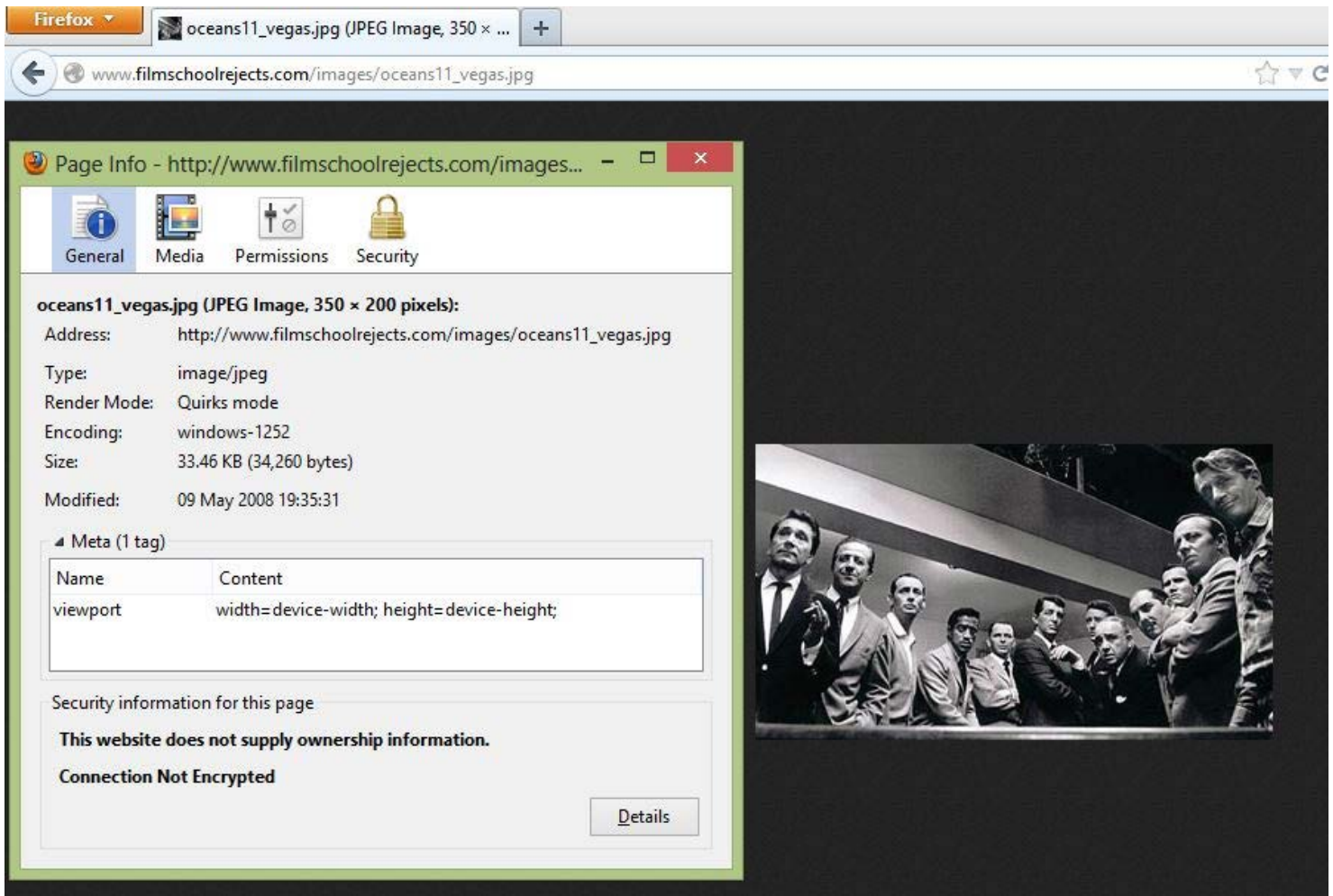
MyBusiness

3 ThreeJe

BROKEN PROJECTOR









Firefox

Ripping Off Vegas is Easy in 'Ocean's Ele...

www.filmschoolrejects.com/features/ripping-off-vegas-is-easy-in-oceans-eleven.php

Google

NEWS FEATURES REVIEWS TRAILERS INTERVIEWS TELEVISION PODCAST

FILM BEST NEWS BLOG NOMINEE

CRITICS CHOICE

MOVIE MAKER BEST BLOGS FOR FILMMAKERS

HOW FAR CAN THE ACCA QUALIFICATION TAKE YOU?

ACCA

MOVIE NEWS

**Ripping Off Vegas is Easy in 'Ocean's Eleven'**

Features By Scott Beggs on March 1, 2009 | (12) Comments

Like 0

Tweet 0

Pin It 0

Share 0

Digg 0

+1 0

Every week, Film School Rejects presents a film that was made before you were born and tells you why you should like it. This week, Old Ass Movies presents:

*Ocean's Eleven* (1960)

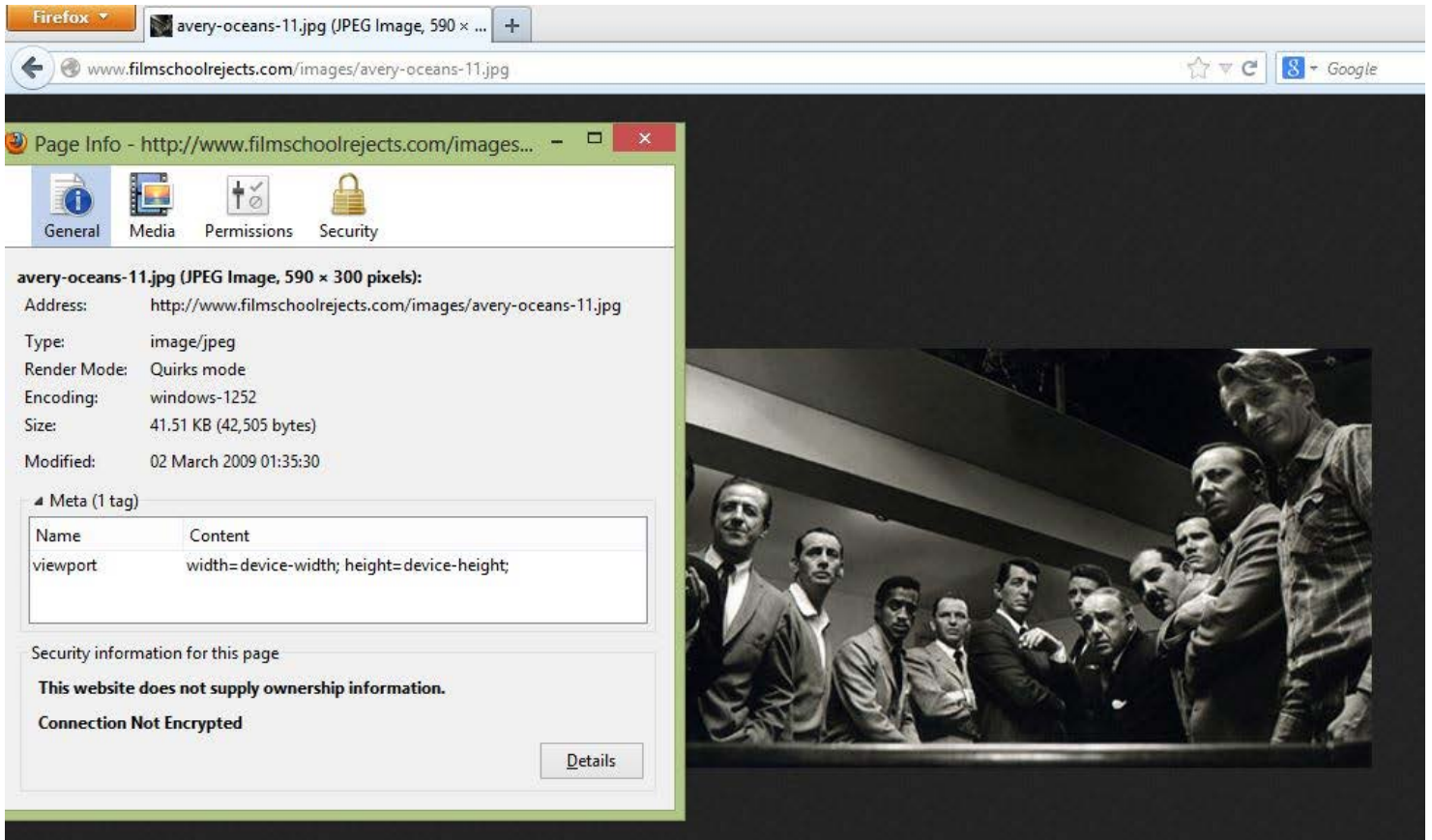
HERBALIFE

Last: \$60.60  
Div: \$0.3000  
Yield: 1.98%

EXPLORE FSR

LATEST HEADLINES more...

published: 07.30.2013  
'About Time' International Trailer, Bill Nighy Teases the



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge John A. Kronstadt and the assigned Magistrate Judge is Alka Sagar.

The case number on all documents filed with the Court should read as follows:

2:13CV9276 JAK ASx

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

December 17, 2013

Date

By J. Prado  
Deputy Clerk

---

NOTICE TO COUNSEL

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

**Subsequent documents must be filed at the following location:**

☒ Western Division  
312 N. Spring Street, G-8  
Los Angeles, CA 90012

☐ Southern Division  
411 West Fourth St., Ste 1053  
Santa Ana, CA 92701

☐ Eastern Division  
3470 Twelfth Street, Room 134  
Riverside, CA 92501

**Failure to file at the proper location will result in your documents being returned to you.**

**ORIGINAL**

AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**

for the

CENTRAL District of CALIFORNIASID AVERY AND ASSOCIATES, a California  
corporation, d/b/a mptv,Plaintiff(s)

v.

REJECT MEDIA, LLC, an Ohio limited liability  
company, d/b/a FILMSCHOOLREJECTS.COM;  
and DOES 1 through 10, inclusive,Defendant(s)**CV 13-9276 JAK (ASx)**

Civil Action No.

**SUMMONS IN A CIVIL ACTION**To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Peter Afrasiabi, John Tehranian, and Nima Kamali  
ONE LLP  
4000 MacArthur Boulevard  
East Tower, Suite 500  
Newport Beach, CA 92660

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

DEC 17 2013

Date: \_\_\_\_\_

CLERK OF COURT

Signature of Clerk or Deputy Clerk

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

**I. (a) PLAINTIFFS** ( Check box if you are representing yourself ☐ )

SID AVERY AND ASSOCIATES, a California corporation, d/b/a mptv.

**DEFENDANTS** ( Check box if you are representing yourself ☐ )

REJECT MEDIA, LLC, an Ohio limited liability company, d/b/a FILMSCHOOLREJECTS.COM; and DOES 1 through 10, inclusive.

**(b) County of Residence of First Listed Plaintiff** Los Angeles

(EXCEPT IN U.S. PLAINTIFF CASES)

**County of Residence of First Listed Defendant**

(IN U.S. PLAINTIFF CASES ONLY)

**(c) Attorneys (Firm Name, Address and Telephone Number)** If you are representing yourself, provide the same information.ONE LLP  
4000 MACARTHUR BLVD., EAST TOWER, STE. 500  
NEWPORT BEACH, CA 92660  
(949) 502-2870**Attorneys (Firm Name, Address and Telephone Number)** If you are representing yourself, provide the same information.**II. BASIS OF JURISDICTION** (Place an X in one box only.)

- ☐ 1. U.S. Government Plaintiff ☒ 3. Federal Question (U.S. Government Not a Party)
- ☐ 2. U.S. Government Defendant ☐ 4. Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only** (Place an X in one box for plaintiff and one for defendant)

- |  |                            |                            |  |                            |                            |
|--|----------------------------|----------------------------|--|----------------------------|----------------------------|
| <b>Citizen of This State</b>                   | <b>PTF</b>                 | <b>DEF</b>                 | <b>Incorporated or Principal Place of Business in this State</b>     | <b>PTF</b>                 | <b>DEF</b>                 |
| <input type="checkbox"/>                       | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | <input type="checkbox"/>   | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| <b>Citizen of Another State</b>                | <input type="checkbox"/>   | <input type="checkbox"/>   | <b>Incorporated and Principal Place of Business in Another State</b> | <input type="checkbox"/>   | <input type="checkbox"/>   |
| <input type="checkbox"/>                       | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | <input type="checkbox"/>   | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| <b>Citizen or Subject of a Foreign Country</b> | <input type="checkbox"/>   | <input type="checkbox"/>   | <b>Foreign Nation</b>  | <input type="checkbox"/>   | <input type="checkbox"/>   |
| <input type="checkbox"/>                       | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | <input type="checkbox"/>   | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. ORIGIN** (Place an X in one box only.)

- ☒ 1. Original Proceeding ☐ 2. Removed from State Court ☐ 3. Remanded from Appellate Court ☐ 4. Reinstated or Reopened ☐ 5. Transferred from Another District (Specify) ☐ 6. Multi-District Litigation

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)**CLASS ACTION** under F.R.Cv.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ To be determined**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

COPYRIGHT INFRINGEMENT UNDER THE U.S. COPYRIGHT ACT, 17 U.S.C. §§ 101 ET SEQ.

**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	<b>Habeas Corpus:</b>	<input checked="" type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b>	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	<b>PERSONAL INJURY</b>	<b>PERSONAL PROPERTY</b>	<input type="checkbox"/> 530 General	<b>SOCIAL SECURITY</b>
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<b>Other:</b>	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	<b>BANKRUPTCY</b>	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<b>FEDERAL TAX SUITS</b>
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<b>FORFEITURE/PENALTY</b>	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	<b>REAL PROPERTY</b>	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	<b>LABOR</b>	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
			<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
			<input type="checkbox"/> 48 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 795 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY:

Case Number:

CV-71 (11/13)

CIVIL COVER SHEET

Page 1 of 3



**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**VIII. VENUE:** Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

<b>Question A: Was this case removed from state court?</b>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:		INITIAL DIVISION IN CACD IS:
	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

<b>Question B: Is the United States, or one of its agencies or employees, a party to this action?</b>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:
	A PLAINTIFF?	A DEFENDANT?	
	Then check the box below for the county in which the majority of DEFENDANTS reside.	Then check the box below for the county in which the majority of PLAINTIFFS reside.	
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern	
<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western	

<b>Question C: Location of plaintiffs, defendants, and claims?</b> (Make only one selection per row)	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>C.1. Is either of the following true? If so, check the one that applies:</b>  <input type="checkbox"/> 2 or more answers in Column C  <input type="checkbox"/> only 1 answer in Column C and no answers in Column D  Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below.  If none applies, answer question C2 to the right. →	<b>C.2. Is either of the following true? If so, check the one that applies:</b>  <input type="checkbox"/> 2 or more answers in Column D  <input type="checkbox"/> only 1 answer in Column D and no answers in Column C  Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below.  If none applies, go to the box below. ↓
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

<b>Question D: Initial Division?</b>	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	WESTERN

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEETIX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

## Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

X. SIGNATURE OF ATTORNEY  
(OR SELF-REPRESENTED LITIGANT):
  
 Nima Kamali

DATE: December 17, 2013

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

## Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))